

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>Case 754 PCT</b>	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. <b>PCT/SE2004/001724</b>	International filing date (day/month/year) <b>24-11-2004</b>	Priority date (day/month/year) <b>25-11-2003</b>
International Patent Classification (IPC) or national classification and IPC <b>See Supplemental Box</b>		
Applicant <b>Pergo (Europe) AB et al</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
    - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report   |
| <input type="checkbox"/> Box No. II           | Priority  |
| <input type="checkbox"/> Box No. III          | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/> Box No. IV           | Lack of unity of invention  |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI           | Certain documents cited   |
| <input type="checkbox"/> Box No. VII          | Certain defects in the international application  |
| <input type="checkbox"/> Box No. VIII         | Certain observations on the international application   |

Date of submission of the demand  <b>31-05-2005</b>	Date of completion of this report  <b>23-01-2006</b>
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001724

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.  
Continuation of: Cover sheet

**INTERNATIONAL PATENT CLASSIFICATION (IPC) :**

**B32B 27/04 (2006.01)**

**B32B 33/00 (2006.01)**

**B44C 05/04 (2006.01)**

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001724

## Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the claims:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001724

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	<u>1-15</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-15</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-15</u>	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

The following documents were cited in the International Search Report:

D1: GB1407052 A1  
D2: US4156038 A1  
D3: GB2088280 A1  
D4: JP5147051 A1  
D5: US5425986 A1  
D6: US3698978 A1

The invention according to claim 1 relates to a process for the manufacturing of a decorative surface element with a surface structure. The process comprises the steps:

- providing the upper surface of the core material with a surface structure.
- applying a decorative surface layer on top of the surface structured core.
- applying the protective wear layer on the decorative surface layer.
- pressing the core material, decorative layer, and wear layer under increased pressure and temperature, thus bonding the layers to one another.

D1 which is considered to represent the most relevant prior art, describes a process for the manufacturing of decorated laminate boards from resin impregnated cellulose sheets. The process for manufacturing the laminate according to D1 comprises the following steps:

.../...

## Supplemental Box

In case the space in any of the preceding boxes is not sufficient.  
Continuation of: BOX V

A plurality of impregnated sheets is stacked to form the core layer. A layer with a structured surface is laid over the core layer; the structured layer could comprise materials such as glass, wood, straw, metal, cork or fibre. A layer provided with a decor is laid on top of the structured layer. The laminate is thereafter subjected to pressure and heat whereupon the layers are bonded together and the relief of the structured layer is transferred to the decorated top layer (page 1, lines 45-71; page 2, lines 35-40).

D2-D6 further represents the prior art.

The subject matter of claim 1 differs from that of D1 in that the surface of the core material is provided with a surface structure. The subject matter of claim 1 is therefore novel (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as providing a process for the manufacturing of a decorative surface element provided with an accurate surface structure. The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) as D1 provides no incitement for providing the upper surface of the core material with a surface structure. By doing so, an accurate surface structure of the decorative board is achieved.

Claims 2-15 are dependant on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.